

MINUTES – OCTOBER 9, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of October, 2001, the Commissioners' Court convened the regular Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 11:10 AM.

The Commissioners' Court reconvened the Voting Session at 11:21 AM.

The Commissioners' Court recessed the Voting Session at 12:02 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 1:40 PM and adjourned the Voting Session at 1:45 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:45 PM and adjourned the Voting Session at 1:45 PM.

The Commissioners' Court reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 3:59 PM.

The Commissioners' Court reconvened the Voting Session at 5:42 PM.

The Commissioners' Court adjourned the Voting Session at 5:53 PM.

RESOLUTIONS AND PROCLAMATIONS

- 1. APPROVE PROCLAMATION DESIGNATING OCTOBER 13, 2001 AS “YMCA DAY” IN TRAVIS COUNTY. (9:17 AM)

Members of the Court heard from: Mark Keester, Director of Financial Development, Austin YMCA.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 1.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

- 2. **Members of the Court heard from:** Charles Williams, Conservation Coordinator, Transportation and Natural Resources (TNR); Crae Pease, Private Citizen; Dessie Andrews, Private Citizen; and Mike Hansen, Private Citizen. (9:20 AM)

CONSENT ITEMS

- 3. **Motion by Commissioner Gómez and seconded by Commissioner Davis** to approve the following Consent Items: C1-C8 (excluding Items C5.A, B, and C), and Items 19, 23.A and B, 24, 29, 31, 32, 33, 34, 35, and 38. (9:20 AM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.

CONSENT ITEMS CONTINUED

- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 11, 2001.
- C4. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN SADDLE CREEK SUBDIVISION, A SUBDIVISION IN PRECINCT 3.
- C5.
 - A. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKECLIFF ON LAKE TRAVIS SECTION SEVEN - (SHORT FORM PLAT – 5 LOTS - 2.849 ACRES – KAHALA SUNSET DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (9:15 AM) (11:48 AM)
 - B. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKECLIFF ON LAKE TRAVIS SECTION TEN - (LONG FORM PLAT – 19 LOTS - 5.168 ACRES – STABLEFORD COVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES).
 - C. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKECLIFF ON LAKE TRAVIS SECTION TWELVE - (LONG FORM PLAT – 24 LOTS - 17.547 ACRES – DRIVERS LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES).

Clerk’s Note: Items C5.A, B, and C are associated with one another and were called for concurrent discussion.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the plats in Items C5.A, B, and C.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C6. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: HIGH CANYON ESTATES SUBDIVISION - (SHORT FORM PLAT – 4 LOTS - 7.69 ACRES – THE HIGH ROAD & TRAIL OF MADRONES – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY).

CONSENT ITEMS CONTINUED

- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 30, 2001 TO DISCUSS AND APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT ON LOT 2 BLOCK E AND ALL OF THE DRAINAGE EASEMENT ON LOT 4 BLOCK E, DESSAU BUSINESS PARK SECTION TWO, A SUBDIVISION IN PRECINCT TWO.
- C8.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 6, 2001 TO APPROVE A RESUBDIVISION PLAT FOR RECORDING IN PRECINCT FOUR – RESUBDIVISION OF A PORTION OF LOT 167 & 169 AND ALL OF LOT 168, COLORADO RIVER RANCHETTES - UNIT 2 (RESUBDIVISION PLAT – 1 LOT – 1.308 ACRES – RIVER ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ)
- 4.** UPDATE ON STATUS OF 2001 COMBINED CHARITIES CAMPAIGN. (9:35 AM)

Members of the Court heard from: Cecelia Burke, Director, Domestic Relations, Chair, Combined Charities Campaign; Kay McLaughlin, Representing Another Way Texas Shares; and Jim Rust, Pre-Trial Services, Co-Chair, Combined Charities Campaign.

Discussion Only.

PUBLIC HEARINGS

5. PUBLIC HEARING TO DISCUSS THE FOLLOWING IN PRECINCT THREE:
(9:43M)

A. APPROVE THE CANCELLATION OF RIBERA CANYONS SUBDIVISION SECTION ONE.

B. APPROVE THE TERMINATION OF THE PHASING AGREEMENT WITH BRE/BALDWIN MANAGEMENT LP., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION AND MAINTENANCE OF STREETS IN RIBERA CANYONS SUBDIVISION.

C. APPROVE THE TERMINATION OF THE RIBERA CANYONS SUBDIVISION CONSTRUCTION AGREEMENT.

Clerk’s Note: Items 5.A, B, and C are associated with one another and were called for concurrent discussion.

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to open the public hearing.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Anna Bowlin, Planner III, TNR.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to close the public hearing.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The action Items for Items 5.A, B, and C are Agenda Items 13.A, B, and C. Please refer to Agenda Items 13.A, B, and C for the Court’s Motion and Vote.

6. DISCUSS THE CANCELLATION OF LOT 1 BLOCK A, TRAVIS LAKESIDE PHASE ONE AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION EIGHT (LONG FORM PLAT – 12 LOTS – 17.084 ACRES – KAHALA SUNSET DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (9:48 AM)

Motion by Commissioner Baxter **and seconded by** Commissioner Davis to open the public hearing.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Anna Bowlin, Planner III, TNR.

Clerk’s Note: Items 6, 7, 8, and 9 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion to close the public hearings for Items 6, 7, 8, and 9. Please refer to Item 7 for a summary of the Court’s Motion and Vote.

Clerk’s Note: The action Item for Item 6 is Agenda Item 14. Please refer to Agenda Item 14 for the Court’s Motion and Vote.

- 7. DISCUSS THE CANCELLATION OF LOT 1 BLOCK A, TRAVIS LAKESIDE PHASE ONE AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION NINE (LONG FORM PLAT–8 LOTS – 6.063 ACRES – STABLEFORD COVE – FISCAL WITH TRAVIS COUNTY – SEWAGE SERVICE PROVIDED BY LAKESIDE UTILITIES). (9:49 AM)

Clerk’s Note: Items 7, 8, and 9 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion to open the public hearings for Items 7, 8, and 9.

Motion by Judge Biscoe and seconded by Commissioner Baxter to open the public hearings for Items 7, 8, and 9.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Anna Bowlin, Planner III, TNR.

Members of the Court agreed to consider one Motion to close the public hearings for Items 6, 7, 8, and 9.

Motion by Commissioner Baxter and seconded by Commissioner Davis to close the public hearings for Items 6, 7, 8, and 9.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The action Item for Item 7 is Agenda Item 15. Please refer to Agenda Item 15 for the Court’s Motion and Vote.

8. DISCUSS THE CANCELLATION OF LOTS 1-7 BLOCK C, LAKECLIFF ON LAKE TRAVIS SECTION ONE AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION ELEVEN (LONG FORM PLAT – 43 LOTS – 16.684 ACRES – CLIFF POINT –FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (9:49 AM)

Clerk's Note: Items 6, 7, 8, and 9 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 6, 7, 8, and 9. Please refer to Item 7 for a summary of the Court's Motion and Vote.

Clerk's Note: The action Item for Item 8 is Agenda Item 17. Please refer to Agenda Item 17 for the Court's Motion and Vote.

9. DISCUSS THE CANCELLATION OF LAKECLIFF ON LAKE TRAVIS SECTION FOUR AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION THIRTEEN (LONG FORM PLAT – 18 LOTS – 10.347 ACRES – CLIFF CROSSING – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (9:49 AM)

Clerk's Note: Items 6, 7, 8, and 9 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 6, 7, 8, and 9. Please refer to Item 7 for a summary of the Court's Motion and Vote.

Clerk's Note: The action Item for Item 9 is Agenda Item 18. Please refer to Agenda Item 18 for the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

10.
 - A. CONSIDER POLICY ADDITION TO MEDICAL EXAMINER OPERATING PROCEDURES CONCERNING THE RELEASE OF AUTOPSY REPORTS, AND TAKE APPROPRIATE ACTION. (9:15 AM)
 - B. CONSIDER PILOT PROGRAM TO INTRODUCE CPR TRAINING IN SCHOOLS, AND TAKE APPROPRIATE ACTION.

Items 10.A and B postponed until October 16, 2001.

HEALTH AND HUMAN SERVICES ITEMS

11. DISCUSS ISSUES REGARDING FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), INCLUDING OUTSTANDING INVOICES, AND TAKE APPROPRIATE ACTION. (9:14 AM) (1:45 PM) (3:59 PM) (5:43 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Mary Etta Gerhardt, Assistant County Attorney; Jim Collins, Executive Assistant County Attorney; and Arlene Tillman, Director, Administrative Services, TCHHS.

Motion by Judge Biscoe and seconded by Commissioner Gómez to make the transfer to close the FY 01 books.

A Withdrawal of the previous Motion was made by Judge Biscoe.

Judge Biscoe announced that Item 11 would be considered in Executive Session.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to authorize the transfer of \$190,542.00 for accrual purposes as laid out by the County Auditor.

Maker and Second accept the Friendly Amendment by Judge Biscoe for the Court to send an appropriately worded letter from the County Judge, on behalf of the Commissioners Court, to the City Manager and the Manager of the Health and Human Services Department of the City of Austin, basically summarizing the issues that we discussed today, asking for official notification on the 2001 outstanding issues, and urging that we put our heads together to try to figure out a better way to handle 2002 matters of this nature.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and Commissioner Gómez.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the transferred amount as recommended by PBO, that it is coming from the transfer as laid out by PBO as to where it appropriately ought to come out, and that is Fiscal year 2001.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	absent
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	abstain
	Precinct 4, Commissioner Margaret J. Gómez	yes

18. APPROVE THE CANCELLATION OF LAKECLIFF ON LAKE TRAVIS SECTION FOUR AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION THIRTEEN (LONG FORM PLAT – 18 LOTS – 10.347 ACRES – CLIFF CROSSING – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (10:01 AM)

Clerk’s Note: Item 18 is the action Item for Item 9.

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve Item 18.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

19. APPOINT FIVE (5) MEMBERS TO A COMMITTEE TO NEGOTIATE THE PROVISION OF SERVICES AFTER THE ANNEXATION OF THE ONION CREEK SUBDIVISION WITH THE CITY OF AUSTIN AS REQUIRED BY THE LOCAL GOVERNMENT CODE §43.0562. THOSE MEMBERS BEING: (A) BRIAN BELL; (B) ERIC GLENN; (C) BOB LARSON; (D) JOHN MCNABB; AND (E) JEAN MILBERGER. (9:33 AM)

Clerk’s Note: Item 19 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 20. A. APPROVE A CONSTRUCTION AGREEMENT. (11:47 AM)

- B. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: LAKESIDE AT BLACKHAWK SECTION 1 (LONG FORM PLAT – 25 LOTS – 12.75 ACRES – DIABLO ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WATER DEVELOPMENT DISTRICT NO. 2B – PFLUGERVILLE ETJ).

- C. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: LAKESIDE AT BLACKHAWK SECTION 2 (LONG FORM PLAT – 15 LOTS – 9.66 ACRES – FARM POND ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WATER DEVELOPMENT DISTRICT NO. 2B – PFLUGERVILLE ETJ).

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the construction agreement and the plats, as the Judge laid out in Items 20.A, B, and C.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

PLANNING AND BUDGET DEPT ITEMS

- 21.** CONSIDER THE ISSUANCE OF CERTIFICATES OF OBLIGATION AND THE ADOPTION OF AN ORDER AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, AND TAKE APPROPRIATE ACTION. (11:22 AM) (5:42 PM)

Members of the Court heard from: Ladd Pattillo, Travis County Financial Advisor; Glen Opal, Bond Counsel, Vinson and Elkins; and Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe and seconded by Commissioner Davis to issue CO’s in the amount indicated in the backup, that would be \$20,250,000.00; and, to adopt the order authorizing publication of the notice of intention to issue Certificates of Obligation.

Clerk’s Note: Items 21 and 22 are associated with one another and were called for concurrent discussion.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Discussion Only on Item 22.

Motion by Judge Biscoe and seconded by Commissioner Gómez to reconsider Item 21.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve adding to the amount of the previously approved CO amount, \$150,000.00, for issuance costs, to bring the total to a “not to exceed” amount of \$20,400,000.00.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

22. DISCUSS ISSUES RELATED TO THE PURCHASE AND INSTALLATION OF THE NEW VOTING SYSTEM FOR THE COUNTY CLERK. (11:29 AM)

Clerk's Note: Items 21 and 22 are associated with one another and were called for concurrent discussion. Please refer to Item 21 for a summary of the Court's Motion and Vote.

23. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, AND CONTRACTS: (9:33 AM)

- A. APPROVE GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE JUVENILE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM (RSAT) IN JUVENILE PROBATION DEPARTMENT. THE APPLICATION IS TO CONTINUE THE GRANT FOR FY '02.
- B. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE APPREHENSION AND WARRANT SERVICE IN CONSTABLE PCT #5. THIS IS A NEW GRANT PROGRAM TO EXPAND THE NUMBER OF JUVENILE WARRANTS SERVED.

Clerk's Note: Items 23.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

24. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:33 AM)

Clerk's Note: Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

- 25. DISCUSS FY 2002 5% COMPENSATION ALLOCATION PLANS AND IMPLEMENTATION PARAMETERS, AND TAKE APPROPRIATE ACTION. (11:50 AM) (2:28 PM)**

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Alicia Perez, Executive Manager, Administrative Operations; Norman McRee, Budget/Process Improvement Analyst, HRMD; Luane Shull, Senior HR Analyst, HRMD; Greg Powell, AFSCME Local 1624; Jim Collins, Executive Assistant County Attorney; Christian Smith, Executive Manager, PBO; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that it is the Court’s expectation that, if you meet expectations, there is a floor of 3%. However if you do not meet expectations, there can be a range of 0% to 2.9% for folks who fall into that category, which would recognize that it may be zero, but there may be some motivation money – less than rounding you up, and giving it to everybody else.

Motion failed:

County Judge Samuel T. Biscoe	no
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court agreed without objection that performance appraisals are required with the 3% that the Court allocated to the Departments.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the compensation plans as presented to the Court, on the backup pages 5-28, adding Commissioner Baxter’s 5% under performance-based pay; and a clarification to the two Departments that wanted to do 5% across the board; that the way to present that would be 3% based on performance-based pay, with a performance review evaluation; and 2% could be across the board; but, it is still possible for them to meet their desired end result.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

26. APPROVE .5 ATTORNEY II (REFERENCE ATTORNEY) FTE, TO DEVELOP COMPREHENSIVE FAMILY LAW PRO SE SERVICES IN THE LAW LIBRARY. (9:15 AM) (2:27 PM)

Item 26 postponed until October 16, 2001.

27. APPROVE THE FOLLOWING CONTRACTS WITH UNUM LIFE INSURANCE COMPANY OF AMERICA AND ITS SUBSIDIARIES: (3:58 PM)

- A. SERVICES AGREEMENT;
- B. APPLICATION FOR PARTICIPATION IN THE SELECT GROUP INSURANCE TRUST FOR GROUP LIFE BENEFITS AND GROUPS ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS;
- C. APPLICATION FOR GROUP INSURANCE FOR GROUP LONG TERM DISABILITY BENEFITS;
- D. POLICY FOR GROUP LIFE INSURANCE FOR GROUP LONG TERM DISABILITY BENEFITS; AND
- E. POLICY FOR GROUP LONG TERM DISABILITY BENEFITS.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Items 27.A, B, C, D, and E postponed until October 30, 2001.

28. A. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE REAL ESTATE ISSUES RELATING TO THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER, AND TAKE APPROPRIATE ACTION. (9:16 AM) (3:57 PM) (5:50 PM)

B. APPROVE REIMBURSEMENT RESOLUTION AND BUDGET TRANSFER FOR THE ACQUISITION AND IMPROVEMENT OF AN EXISTING OFFICE BUILDING AND RELATED REAL PROPERTY, AND ACQUISITION OF EQUIPMENT FOR THE TRAVIS COUNTY SHERIFF’S OFFICE WEST COMMAND CENTER.

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve the reimbursement resolution in the amount of \$2,026,900.00.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

29. APPROVE CONTRACT AWARD FOR ADDITIONS AND IMPROVEMENTS TO THE TRAVIS COUNTY EXPOSITION CENTER ARENA, IFB B010720-DM, TO THE LOW, RESPONSIVE BIDDER, HUTCHISON CONSTRUCTION, INC. (FACILITIES MANAGEMENT) (9:33 AM)

Clerk’s Note: Item 29 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

30. APPROVE PERSONNEL AMENDMENTS. (10:02 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the personnel amendments, Item 30.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

PURCHASING OFFICE ITEMS

- 31.** APPROVE CONTRACT AWARD TO PBS&J FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE LITTIG ROAD RECONSTRUCTION PROJECT, RFQ Q010065-JJ. (TNR) (9:33 AM)

Clerk's Note: Item 31 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 32.** APPROVE MAINTENANCE AGREEMENT (CONTRACT NO. MA010224-LB FOR A SUPPLEMENTAL CAPITAL IMPROVEMENT, FINANCIAL REPORTING DATABASE (CONTRACT NO. PS010169-LB); APPROVED ON 10/02/01 WITH THOMAS KELLY SOFTWARE ASSOCIATES, LLC. (TNR & FACILITIES). (9:33 AM)

Clerk's Note: Item 32 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 33.** DECLARE CERTAIN VEHICLES AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:33 AM)

Clerk's Note: Item 33 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 34.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 00T0048-JP, GRINNELL FIRE PROTECTION SYSTEMS, FOR FIRE ALARM SYSTEMS; CONTRACT APPROVED ON 12/18/99. (FACILITIES MGMT) (9:33 AM)

Clerk's Note: Item 34 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 35.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 01T0030-MP, ECOLAB, INC., FOR DISHWASHING AND LAUNDRY CHEMICALS; CONTRACT APPROVED ON 11/14/00. (SHERIFF'S; GARDNER BETTS) (9:33 AM)

Clerk's Note: Item 35 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

- 36.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (3:59 PM) (5:53 PM)

No action necessary on Item 36.

- 37.**
 - A.** DISCUSS ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 6, 2001 ELECTIONS, AND TAKE APPROPRIATE ACTION. (11:44 AM)
 - B.** APPROVE THE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR A NOVEMBER 6, 2001 JOINT ELECTION.

Clerk’s Note: Items 37.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the interlocal, Item 37.B.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 38.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:33 AM)

Clerk’s Note: Item 38 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

EXECUTIVE SESSION ITEMS

Note 1 – Gov’t Code Ann 551.071, Consultation with Attorney

Note 2 – Gov’t Code Ann 551.072, Real Property

Note 3 – Gov’t Code Ann 551.074, Personnel Matters

Note 4 – Gov’t Code Ann 551.076, Security

- 39. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (3:59 PM) (5:52 PM)

- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; CIVIL ACTION NO. A 00CA021SS; IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. ¹

Judge Biscoe announced that Items 39.A and B would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Baxter that we execute the release and assignment from Dean Johnson, which settles the claim in the amount of \$128,742.00; that we authorize Staff to pay this from the Criminal Justice Center program contingency fund.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 40. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON ISSUES WITH PROPOSED INTERLOCAL FOR AEROMEDICAL SERVICES BETWEEN BRACKENRIDGE HOSPITAL AND TRAVIS COUNTY, AND/OR TAKE APPROPRIATE ACTION. ¹ (3:57 PM)

Item 40 to be reposted on October 16, 2001.

41. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE REAL ESTATE ISSUES RELATING TO THE RELOCATION OF THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER FROM THE UNIVERSITY SAVINGS BUILDING TO WESTERN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. ² (9:16 AM) (3:57 PM) (3:59 PM) (5:49 PM)

Judge Biscoe announced that Item 41 would be considered in Executive Session.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez for the County to authorize negotiations for the conference table and chairs for the amount of \$750.00; and, to re-urge that we need a credit for \$8,300.00 to make the necessary repairs; and, to turn down the offer of the big reception desk; that we appreciate the offer, but the County has no need for it at this time.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 41 to be reposted on October 16, 2001.

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. SAVIO & PECK CONSTRUCTION CO. AND TAKE APPROPRIATE ACTION. ¹ (3:59 PM) (5:48 PM)

Judge Biscoe announced that Item 42 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Attorney’s Office to prepare a deed involving the property at the exact address as given to the Court by Shirley Warren, Assistant County Attorney, that will allow the buyer to purchase this land for the total amount, \$9,786.66; that the County Judge be authorized to sign this deed after preparation from the County Attorney’s Office, on behalf of Commissioners Court.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

43. CONSIDER PROPOSED PURCHASE CONTRACT WITH CLIFFORD C. TOOPS, CAROL TOOPS, AND MICHAEL SHAWN TOOPS FOR ACQUISITION OF APPROXIMATELY 170.163 ACRES OF LAND IN CONNECTION WITH BALCONES CANYONLAND CONSERVATION PLAN, AND TAKE APPROPRIATE ACTION. ² (3:59 PM) (5:47 PM)

Judge Biscoe announced that Item 43 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter that the Judge be given authority to sign the appropriate purchase contract, and that also moves the closing date to be on or before October 24, 2001.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

44. CONSIDER PROPOSED AMENDMENT TO PURCHASE CONTRACT WITH SHELLBERG TRACT JOINT VENTURE FOR ACQUISITION OF TRACT OF LAND IN CONNECTION WITH BALCONES CANYONLAND CONSERVATION PLAN, AND TAKE APPROPRIATE ACTION. ² (3:59 PM) (5:46 PM)

Judge Biscoe announced that Item 44 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the proposed amendment, which basically will move our closing date to November 9, 2001, with the possibility of future extensions depending on how soon we get the appropriate appraisal in and it gets reviewed by the appropriate authorities with Interior and U.S. Fish and Wildlife; and, that amendment also acknowledges a prior conveyance of .25 acres from the owners to ESD #14, also known as the Volente Fire Department.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

45. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN JAIME BEAMAN, AIA, INC. D/B/A CASABELLA ARCHITECTS VS. TRAVIS COUNTY, TEXAS (CASABELLA; PEREZ; CONSTRUCTION CONTRACT SUIT). ¹ (3:59 PM) (5:46 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

No action required on Item 45.

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TERESA SHIELDS V. TRAVIS COUNTY, TEXAS (TORT CLAIMS ACT/CONTRACT SUIT). ¹ (3:59 PM)

Judge Biscoe announced that Item 46 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Attorney’s Office to file an appropriate motion for summary judgement in this matter.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	absent
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

THE FOLLOWING ITEMS ARE ADDENDA:

TAKE UP ITEM A1 AT 10:00 A.M.

A1. CONSIDER FEASIBILITY OF DELETING FRATE BARKER EXTENSION FROM NOVEMBER 6, 2001 BOND REFERENDUM, APPROVE NEW ELECTION ORDER AND TAKE ANY OTHER APPROPRIATE ACTION. (9:17 AM) (10:02 AM) (11:10 AM) (11:21 AM)

Members of the Court heard from: Tamara Armstrong, Assistant County Attorney; Jim Mann, Member, Travis County Bond Committee; Howard Faulkenberg, Chairman, Travis County Bond Committee; Bill Bunch, Executive Director, Save Our Springs Alliance; Mike Blizzard, Private Citizen; and Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to delete the Frate Barker project, which is Proposition 2, from the upcoming November 6, 2001 Bond Election.

Maker and Second accept the Friendly Amendment by Judge Biscoe that we approve the amended and restated order calling the Bond Election, prepared by legal counsel.

Acceptance of the Friendly Amendment was made by Commissioner Davis and Commissioner Gómez.

Judge Biscoe announced that Item A1 would be considered in Executive Session.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	abstain
	Precinct 3, Commissioner Todd Baxter	no
	Precinct 4, Commissioner Margaret J. Gómez	yes

- A2.** DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASES LOCATED AT 207 AND 209 WEST 9TH STREET BETWEEN TRAVIS COUNTY, TEXAS AND HARRY WHITTINGTON, D/B/A TRAVIS PROPERTIES. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072.
(3:59 PM) (5:45 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we authorize Pat Ford to sign on behalf of Commissioners Court, a letter to the landlord, indicating our intention to terminate, to move to County owned space; and, that we further authorize Ms. Ford to begin negotiations for other space appropriate to meet the County needs with the same landlord at the same location.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADJOURNMENT

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:53 PM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge